TMH:jlb 03/22/01 4810-58563 42228

JC07 Rec'd PCT/PTO 22 MAR 2001

Express Mail Label No. EL748699064US
Date of Deposit: March 22, 2001

FORM PTO-1390 U S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371		4810-58563
		U S APPLICATION NO (If known, see 37 C F R § 1 5) 09/787962
INTERNATIONAL APPLICATION NO. PCT/CA00/00860	INTERNATIONAL FILING DATE July 21, 2000	PRIORITY DATE CLAIMED 60/145,013

TITLE OF INVENTION
A PLANT LONG CHAIN FATTY ACID BIOSYNTHETIC ENZYNE

APPLICANT(S) FOR DO/EO/US
Ljerka Kunst, Sabine Clemens

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. § 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
   a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☒ has been transmitted by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
   a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☐ have been transmitted by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U S.C. § 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R §§ 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 and the Recordal fee of $40.00 is included.
13. ☒ A **FIRST** preliminary amendment.
    ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
    ☒ Copy of the International Application as published.
    ☒ Sequence Listing (2 pages).
    ☒ Computer Readable Form of Sequence Listing (diskette).
    ☒ Statement in Compliance with 37 C.F.R. § 1.821(f).

24197

JC03 Rec'd PCT/PTO 22 MAR 2001

FMH:jlb 03/22/01 4810-58563 42228

Express Mail Label No. EL748699064US
Date of Deposit: March 22, 2001

U.S. APPLICATION NO (If known, see 37 C.F.R. § 1.5)	INTERNATIONAL APPLICATION NO	ATTORNEY'S DOCKET NUMBER
09/787962	PCT/CA00/00860	4810-58563

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)):

Neither International Preliminary Examination fee (37 C.F.R. § 1.482) nor International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **$1,000.00**

International Preliminary Examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... **$860.00**

International Preliminary Examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO..... **$710.00**

International Preliminary Examination fee paid to USPTO (37 C.F.R. § 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... **$690.00**

International Preliminary Examination fee paid to USPTO (37 C.F.R § 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **$100.00**

CALCULATIONS (PTO USE ONLY)		
ENTER APPROPRIATE BASIC FEE AMOUNT =	$	860.00
Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).	$	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	37 - 20 =	17	x $18.00	$	306.00
Independent Claims	4 - 3 =	1	x $80.00	$	78.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $270.00	$	
TOTAL OF ABOVE CALCULATIONS =				$	1,244.00
☐ Reduction of 1/2 for filing by small entity. Small entity status is claimed for this application.				$	
SUBTOTAL =				$	1,244.00
Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 Months from the earliest claimed priority date (37 C.F.R. §§ 1.492(f)). +				$	
TOTAL NATIONAL FEE =				$	1,244.00
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). **$40.00** per property. +				$	
TOTAL FEES ENCLOSED =				$	1,244.00
				REFUND →	$
				CHARGE →	$

a. ☒ A check in the amount of $ 1,244.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of $ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 02-4550. A duplicate copy of this sheet is enclosed.

d. ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, OR 97204-2988

SIGNATURE

Tanya M. Harding, Ph.D.
NAME

42,630
REGISTRATION NUMBER

cc: Docketing

09/787962
JC03 Rec'd PCT/PTO 22 MAR 2001

Express Mail Label No. EL748699064US
Date of Deposit: March 22, 2001
PATENT
Attorney Reference Number 4810-58563

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kunst and Clemens

Art Unit: Not Yet Assigned

Application No. Not Yet Assigned

Filed: Herewith

For: A PLANT LONG CHAIN FATTY ACID BIOSYNTHETIC ENZYNE

Examiner: Not Yet Assigned

Date: March 22, 2001

Box PCT
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

PRELIMINARY AMENDMENT

In the specification, please insert the following header and paragraph on page 1, immediately following the title:

-- CROSS-REFERENCE TO RELATED APPLICATIONS

This is the National Stage of International Application No. PCT/CA00/00860, and claims the benefit of U.S. Provisional Application No. 60/145,013, filed July 22, 1999. The provisional application is incorporated herein in its entirety. --

In the claims, prior to calculation of the fees, please revise the below-listed claims to read as follows:

24. (amended) A transgenic plant comprising the recombinant nucleic acid molecule of claim 1.

28. (amended) A transgenic cell comprising the recombinant nucleic acid molecule of claim 1.

30. (amended) A method of producing a transgenic plant comprising introducing into the plant the isolated nucleic acid molecule of claim 8.

32. (amended) A purified protein encoded by the recombinant nucleic acid molecule of claim 1.

33. (amended) A recombinant vector comprising the recombinant nucleic acid molecule claim 1.

36. (amended) A Transgenic plant or plant cell comprising the recombinant antisense nucleic acid of claim 34.

37. (amended) A method of isolating a nucleic acid molecule encoding a plant long chain fatty acid condensing enzyme, the method comprising hybridizing a nucleic acid preparation with the nucleic acid probe of claim 20.

REMARKS

By this preliminary amendment, the specification is amended to add a reference to a related provisional application.

Also, claims 24, 28, 30, 32, 33, 36, and 37 are amended to remove multiple dependencies. No new matter has been added by this amendment. Nor was this amendment made for any purpose related to statutory requirements of patentability; rather, the changes are related to purely economic considerations and are in no way meant to limit the scope of any claim.

Respectfully submitted,
KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP

By _____
Tanya M. Harding, Ph.D.
Registration No. 42,630

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

Express Mail Label No. EL748699064US
Date of Deposit: March 22, 2001
PATENT
Attorney Reference Number 4810-58563

Marked-up Version of Amended Claims
Pursuant to 37 C.F.R. §§ 1.121(b)-(c)

After entry of the current amendment, the pending claims read as follows:

1. A recombinant nucleic acid molecule comprising a heterologous nucleic acid coding sequence encoding a plant long chain fatty acid condensing enzyme, wherein:

a) the nucleic acid coding sequence is derived from an *Arabidopsis KCS2* coding sequence; or

b) the plant very long chain fatty acid condensing enzyme catalyses the condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA, wherein the plant very long chain fatty acid condensing enzyme has an amino acid sequence that is at least 70% identical to an *Arabidopsis* KCS2 amino acid sequence when optimally aligned; or

c) the nucleic acid coding sequence hybridizes under stringent conditions to a complement of the *Arabidopsis KCS2* coding sequence; or

d) the nucleic acid coding sequence at least 70% identical to the *Arabidopsis KCS2* coding sequence when optimally aligned.

2. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence is derived from the *Arabidopsis KCS2* coding sequence.

3. The recombinant nucleic acid molecule of claim 1 wherein the plant very long chain fatty acid condensing enzyme catalyses the condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA, wherein the plant very long chain fatty acid condensing enzyme has an amino acid sequence that is at least 70% identical to the *Arabidopsis* KCS2 amino acid sequence when optimally aligned.

4. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence hybridizes under stringent conditions to the complement of the *Arabidopsis KCS2* coding sequence.

5. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence at least 70% identical to the *Arabidopsis KCS2* coding sequence when optimally aligned.

6. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence at least 90% identical to a wild-type *Arabidopsis KCS2* coding sequence when optimally aligned.

7. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence at least 95% identical to a wild-type *Arabidopsis KCS2* coding sequence when optimally aligned.

8. An isolated nucleic acid molecule comprising a nucleic acid coding sequence that encodes a plant long chain fatty acid condensing enzyme, wherein:

a) the nucleic acid coding sequence is derived from an *Arabidopsis KCS2* coding sequence; or

b) the plant long chain fatty acid condensing enzyme catalyses the condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA, wherein the plant very long chain fatty acid condensing enzyme has an amino acid sequence that is at least 70% identical to an *Arabidopsis* KCS2 amino acid sequence when optimally aligned; or

c) the nucleic acid coding sequence hybridizes under stringent conditions to a complement of the *Arabidopsis KCS2* coding sequence; or

d) the nucleic acid coding sequence is at least 70% identical to the *Arabidopsis KCS2* coding sequence when optimally aligned.

9. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence is derived from the *Arabidopsis KCS2* coding sequence.

10. The isolated nucleic acid molecule of claim 8, wherein the plant long chain fatty acid condensing enzyme catalyses the condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA, wherein the plant very long chain fatty acid condensing enzyme has an amino acid sequence that is at least 70% identical to an *Arabidopsis* KCS2 amino acid sequence when optimally aligned.

11. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence hybridizes under stringent conditions to a complement of the *Arabidopsis KCS2* coding sequence.

12. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence is at least 70% identical to the *Arabidopsis KCS2* coding sequence when optimally aligned.

13. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence is at least 90% identical to a wild-type *Arabidopsis KCS2* coding sequence when optimally aligned.

14. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence is at least 95% identical to a wild-type *Arabidopsis KCS2* coding sequence when optimally aligned.

15. A recombinant nucleic acid molecule comprising a promoter sequence operably linked to a nucleic acid sequence, wherein the promoter sequence is capable of mediating gene expression in anthers and in very young leaves in *Arabidopsis* and:

a) is derived from an *Arabidopsis KCS2* promoter sequence; or

b) hybridizes under stringent conditions to the *Arabidopsis KCS2* promoter sequence; or,

c) is at least 70% identical to the *Arabidopsis KCS2* promoter sequence when optimally aligned.

16. The recombinant nucleic acid molecule of claim 15, wherein the promoter sequence is derived from the *Arabidopsis KCS2* promoter sequence.

17. The recombinant nucleic acid molecule of claim 15, wherein the promoter sequence hybridizes under stringent conditions to the *Arabidopsis KCS2* promoter sequence.

18. The recombinant nucleic acid molecule of claim 15, wherein the promoter sequence is at least 70% identical to the *Arabidopsis KCS2* promoter sequence when optimally aligned.

19. The recombinant nucleic acid molecule of claim 15, wherein the promoter sequence is at least 90% identical to a wild-type *Arabidopsis KCS2* promoter sequence when optimally aligned.

20. A nucleic acid probe comprising a probe sequence that:

a) hybridizes under stringent conditions to a portion of an Arabidopsis *KCS2* genomic sequence; or

b) is at least 70% identical to the portion of an Arabidopsis *KCS2* genomic sequence when optimally aligned.

21. The nucleic acid probe of claim 20 wherein the probe sequence hybridizes under stringent conditions to a portion of the Arabidopsis *KCS2* genomic sequence.

22. The nucleic acid probe of claim 20 wherein the probe sequence is at least 70% identical to the portion of the Arabidopsis *KCS2* genomic sequence when optimally aligned.

23. The nucleic acid probe of claim 20 wherein the probe sequence is at least 90% identical to a portion of a wild-type Arabidopsis *KCS2* genomic sequence when optimally aligned.

24. (amended) A transgenic plant comprising the recombinant nucleic acid molecule of ~~any one of claims 1 through 7~~claim 1.

25. A part of the transgenic plant of claim 24.

26. The part of the transgenic plant of claim 25, wherein the part is a seed.

27. The transgenic plant of claim 24, wherein the transgenic plant has a modified phenotype compared to a non-transgenic plant of the same species.

28. (amended) A transgenic cell comprising the recombinant nucleic acid molecule of ~~any one of claims 1 through 7~~claim 1.

29. The transgenic cell of claim 28, wherein the cell is a plant cell.

30. (amended) A method of producing a transgenic plant comprising introducing into the plant the isolated nucleic acid molecule of ~~any one of claims 8 through 14~~claim 8.

31. A progeny plant produced by sexual or asexual propagation of the transgenic plant produced by the method of claim 30.

32. (amended) A purified protein encoded by the recombinant nucleic acid molecule of ~~any one of claims 1 through 7~~claim 1.

33. (amended) A recombinant vector comprising the recombinant nucleic acid molecule ~~of any one of claims 1 through 7~~claim 1.

34. A recombinant antisense nucleic acid molecule wherein a portion of the heterologous nucleic acid coding sequence of claim 1 is in reverse orientation relative to an adjacent promoter sequence.

35. The recombinant antisense nucleic acid of claim 34, wherein the recombinant antisense nucleic acid encodes an antisense RNA that:

a) hybridizes under stringent conditions to a complement of a portion of the *Arabidopsis KCS2* coding sequence; or

b) is at least 70% identical to a portion of the *Arabidopsis KCS2* coding sequence when optimally aligned.

36. (amended) A Transgenic plant or plant cell comprising the recombinant antisense nucleic acid of claim 34 ~~or 35~~.

37. (amended) A method of isolating a nucleic acid molecule encoding a plant long chain fatty acid condensing enzyme, the method comprising hybridizing a nucleic acid preparation with the nucleic acid probe of ~~any one of claims 20 through 23~~claim 20.

09/787962
JC03 Rec'd PCT/PTO 22 MAR 2001

TMH:jlb 03/22/01 4810-58563 42451

Express Mail Label No. EL748699064US
Date of Deposit: March 22, 2001
PATENT
Attorney's Matter No. 4810-58563

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kunst and Clemens

Art Unit: Not yet assigned

Application No. Not yet assigned

Filed: Herewith

For: A PLANT LONG CHAIN FATTY ACID BIOSYNTHETIC ENZYNE

Examiner: Not yet assigned

Date: March 22, 2001

STATEMENT IN COMPLIANCE WITH 37 C.F.R. § 1.821(f)

Box PCT
COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

In compliance with 37 C.F.R. § 1.821(f), the undersigned declares that the nucleotide and/or amino acid sequences presented in the paper copy of the "Sequence Listing" submitted herewith are the same as the sequences contained in the computer-readable form of the "Sequence Listing."

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL LEIGH & WHINSTON, LLP

By _____
Tanya M. Harding, Ph.D.
Registration No. 42,630

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

09/787962

JC03 Rec'd PCT/PTO 22 MAR 2001

SEQUENCE LISTING

<110> The University of British Columbia et al.

<120> A PLANT LONG CHAIN FATTY ACID BIOSYNTHETIC ENZYME

<130> 4810-58563

<140> NOT YET ASSIGNED
<141> 2001-03-22

<150> PCT/CA00/00860
<151> 2000-07-22

<150> US60/145,013
<151> 1999-07-22

<160> 5

<170> PatentIn Ver. 2.0

<210> 1
<211> 2509
<212> DNA
<213> Arabidopsis sp.

<400> 1
tgttgtggag gacttgtgag aaccaccacc agagtccgac atcgcgatca cggagtagag 60
aaagtcaaaa ctacttctct cagacggatt agtttggttt gctggagatt gttccaagaa 120
agagaaacgt taggagcaaa caaacaaaag agaaaagacg atgatgactg atgagagctt 180
taacaaaaaa ataaaatgag agagctcaac gggtagaatt gtgagacttg agagagtgtt 240
tcctatttaa ggcatgcgat tagtgtttat tacgagaatg ccaccgaacg agtacatatt 300
aatgtatagt atgttaatga tagtctaact aaaatttggt ttttattgaa atagaatttt 360
gtaagaataa tgaggatctg taatatagct ggatttgcat taaatcgtac gccgttggta 420
atcgaaatta gttaaataaa tgttttagca tataatgttg gtgcttccga catgtttatt 480
ggacaataat accatatttt ttctttggga tcttaaaaaa attgaggaag aaaatagtaa 540
aatagtcaaa cttaggttac atcataatgg gccaattctt tgagttgtga ttgatctcca 600
aagatataca tagatttaca caagatcaaa agaaaaacaa ttgggcctaa accccaagcc 660
catatcaacg tccattatca ttaagattcc ttttttttctt gaaatttgaa aatttgaaat 720
tcgattcaaa tctactctct ctgtttttttt cccataaaaa tctgaaaaac cagaagcttc 780
ttcatcactt ttcctcttga tatcttccat tagttggccg atacacatga cgccaaatac 840
atcaatggcg actcttctct gttttttagt tatatcaaac tcccacccaa cctgcagaag 900
aaaaaatggt gtctataaac acatcccctt acgatttctt ctctatctct ctcacagtat 960
ctatatatac gcacacaaac ccagattcag tttctcatca gtatcatcaa caaaaatatc 1020
aaagattctg ctttagaaac tgtccatgga tgctaatgga ggacctgtac agatccggac 1080
ccaaaactac gtcaagcttg gttatcacta tctgatcact cacttttttta aactcatgtt 1140
cctccctcta atggctgttt tgttcatgaa tgtctcattg ttaagcctaa accatcttca 1200
gctctattac aattccaccg gattcatctt cgtcattact ctcgccattg tcggatccat 1260
tgtcttcttc atgtctcgac ctagatccat ctaccttcta gattactctt gctacctccc 1320
gccttcgagt caaaaagtta gctaccagaa attcatgaac aactctagtt tgattcaaga 1380
tttcagcgaa acttctcttg agttccagag gaagatcttg attcgctctg gtctcggtga 1440
agagacttat ttaccggatt ctattcactc tatccctccg cgtcctacta tggctgcagc 1500
gcgtgaagaa gcggagcagg taatcttcgg tgcactcgac aatcttttcg agaatacaaa 1560
aatcaatcct agggagattg gtgttcttgt tgtgaattgt agtttgttta accctacgcc 1620
ttctttatcc gccatgattg ttaacaagta taagcttaga ggaaacatta agagctttaa 1680
ccttggagga atgggatgta gtgctggtgt tatcgcggta gatctagcta gtgatatgtt 1740
acaaatccat aggaacactt ttgctcttgt ggttagtact gagaacatca ctcagaattg 1800

gtattttggt aacaagaaag caatgttgat ccctaattgc ttgtttagag ttggtggttc 1860
cgcggttctg ctttcgaaca agcctttgga tcgaaaacga tccaagtata agcttgttca 1920
tacggtcagg actcataaag gatctgatga gaacgcattc aattgtgtgt atcaagaaca 1980
agatgagtgt ttgaaaaccg gagtttcttt gtctaaagat cttatggcta tagctggaga 2040
agctttaaag acgaatatca cttctttggg tcctctggtt cttcctataa gcgagcagat 2100
tctgttcttt gcgacttttg ttgctaagag attgttcaat gacaagaaga agaagcctta 2160
cataccggat ttcaagcttg ctttagatca tttctgtatt cacgcgggag gtagagccgt 2220
gattgatgag ctagagaaga gtttaaagct ttctccaaaa catgttgagg cgtctagaat 2280
gactttgcat agatttggaa acacttcctc tagctctata tggtatgaat tggcttacac 2340
ggaagctaaa ggaagaatga ggaaaggaaa cagagtttgg cagattgctt ttggtagcgg 2400
gtttaagtgt aacagcgcgg tttgggtggc tcttcgcaat gtcgagccct cggttaacaa 2460
tccttgggaa cattgcatcc atagatatcc ggttaagatc gatctttga 2509

<210> 2
<211> 20
<212> DNA
<213> Arabidopsis sp.

<400> 2
gtatcatcaa caaaaatatc 20

<210> 3
<211> 18
<212> DNA
<213> Arabidopsis sp.

<400> 3
caaagatcga tcttaacc 18

<210> 4
<211> 18
<212> DNA
<213> Arabidopsis sp.

<400> 4
cgatcacgga gtagagaa 18

<210> 5
<211> 18
<212> DNA
<213> Arabidopsis sp.

<400> 5
ggacagtttc taaagcag 18

09/787962
JC03 Rec'd PCT/PTO 22 MAR 2001

A PLANT LONG CHAIN FATTY ACID BIOSYNTHETIC ENZYME

FIELD OF THE INVENTION

The invention relates to a condensing enzyme involved in long chain fatty acid production in plants, including related nucleic acid sequences.

BACKGROUND

Living organisms synthesize a vast array of different fatty acids, which are incorporated into complex lipids. These complex lipids represent both major structural membrane components, and are a major storage product in both plants and animals. In plants, very long chain fatty acids (VLCFAs, chain length C20 or longer) are synthesized predominantly in the epidermal cells where they are either directly incorporated into waxes, or serve as precursors for other aliphatic hydrocarbons found in waxes, including alkanes, primary and secondary alcohols, ketones, aldehydes and acyl-esters (for review see Post-Beittenmiller, 1996). VLCFAs also accumulate in the seed oil of some plant species, where they are incorporated into triacylglycerols (TAGs), as in the *Brassicaceae*, or into wax esters, as in Jojoba. These seed VLCFAs include the agronomically important erucic acid (C22:1), that may be used in the production of lubricants, nylon, cosmetics, pharmaceuticals and plasticizers.

VLCFAs are synthesized by a microsomal fatty acid elongation (FAE) system which involves four enzymatic reactions: (1) condensation of malonyl-CoA with a long chain acyl-CoA, (2) reduction to beta-hydroxyacyl-CoA, (3) dehydration to an enoyl-CoA and (4) reduction of the enoyl-CoA, resulting in the acyl-CoA elongated by two carbons. The condensing enzyme catalyzing reaction (1) is a key activity of the FAE system. It is the rate-limiting enzyme of the VLCFA biosynthetic pathway, which controls the amount of VLCFAs produced (Miller and Kunst, 1997). In addition, the condensing enzyme determines the ultimate VLCFA acyl chain length, and thus their uses in seed oil or wax biosynthesis.

Different condensing enzymes acting on, and producing, acyl chains of different length have recently been characterized. Several groups independently identified the first plant fatty acid elongation gene in *Arabidopsis*, *FAE1* (James and Dooner, 1990; Kunst et al., 1992; and Lemieux et al., 1990). *FAE1* was subsequently cloned and is described in WO9613582 as catalyzing the conversion of C18 fatty acids to C20-C22 fatty acids. The patent WO9613582 suggests that *FAE1* will have activity in a very broad host range. In

support of this assertion of broad host range activity, it has been shown that *FAE1* has the same activity in yeast as in *Arabidopsis* (Miller and Kunst, 1997). A Jojoba protein involved in the synthesis of VLCFAs has also been isolated having relatively high homology to *FAE1* (52% amino acid identity), and has been shown to have beta-ketoacyl-coenzyme A synthase (*KCS*) activity (WO9515387). Broad host range activity for genes encoding *KCS* has been further evidenced by the Jojoba *KCS* cDNA. The Jojoba *KCS* cDNA was able to complement a mutation in a Canola variety of rapeseed (*Brassica napus*), to restore in the variety high levels of VLCFAs (Lassner *et al.*, 1996). An *Arabidopsis* gene (*CUT1*), required for cuticular wax biosynthesis and pollen fertility, has also been described as encoding a VLCFA condensing enzyme that catalyzes the addition of 2C units to pre-existing C24 or longer fatty acids (Millar *et al.*, 1999).

The broad specificities exhibited by *FAE* activities provide a means of modifying the synthesis of VLCFAs in a given cell. As evidenced by the accumulation of VLCFAs in tobacco seed expressing FAE1 (Millar and Kunst, 1997), heterologous condensing enzymes may be used to produce VLCFAs in plant species that do not otherwise synthesize VLCFAs. For example, targeted expression of heterologous VLCFA condensing enzymes in seeds may allow the production of crop plants capable of synthesizing VLCFAs of desired lengths in seed oil for industrial applications. New condensing enzymes may also be useful for the manipulation of cuticular waxes which have important functions in many physiological processes in plants, including water balance, protection from UV light, plant-insect interactions, and defense against bacterial and fungal pathogens (Post-Beittenmiller, 1996). As a result, there is a need for new condensing enzymes that may be used alone or in combination with other condensing enzymes to confer on plants and plant tissues the ability to synthesize a range of VLCFAs, including VLCFAs up to C30 in length.

There is also a need for tissue-specific promoters capable of mediating the expression of heterologous condensing enzymes in epidermal cells, which may facilitate the alteration of the wax composition and/or accumulation in plants. This may, in turn, result in the production of crops with increased tolerance to environmental stresses, and/or resistance to pathogens and insects. For example, drought resistance in rice is associated with high wax lines rich in C29, C33 and C35 alkanes (O'Toole and Cruz, 1983; Haque et al., 1992). Increased wax deposition may also be accomplished by overexpression of condensing enzymes with desired acyl chain

length specificities using an epidermis-specific promoter, such as the *CUT1* promoter (Millar et al., 1999).

The cumulative data, as discussed, from a variety of sources in this field has led to the suggestion that the amounts and acyl chain lengths of VLCFAs, in a wide variety of eukaryotic cells, are regulated by the nature of condensing enzyme expression in the cell (Miller and Kunst, 1997). Condensing enzymes would therefore be useful in a range of biotechnical applications.

SUMMARY

In various aspects, the present invention provides nucleic acid sequence encoding all or part of a new plant long chain fatty acid condensing enzyme (fatty acid elongase), designated herein as KCS2 (for beta-ketoacyl-coenzyme A synthase 2). In some embodiments, KCS2 may mediate the biosynthesis of C18, C20, C22 and C24 fatty acids. The activity of the enzyme is typically characterized by two carbon (malonyl-CoA) additions to C16, C18, C20 and C22 moieties (C16-C22 acyl CoA molecules), i.e. condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA. The fatty acids produced by the enzyme may for example be saturated 18:0, 20:0, 22:0 and 24:0 fatty acids.

The invention includes recombinant nucleic acid molecules comprising a heterologous nucleic acid coding sequence encoding the plant long chain fatty acid condensing enzyme. In alternative embodiments, the nucleic acid coding sequence may be derived from the *Arabidopsis KCS2* coding sequence disclosed herein. Alternatively, embodiments include nucleic acids that encode the plant very long chain fatty acid condensing enzyme of the invention, wherein the enzyme has an amino acid sequence that is at least 70% identical to an *Arabidopsis* KCS2 amino acid sequence disclosed herein, when optimally aligned. The nucleic acid coding sequences of the invention also include sequences that hybridize under stringent conditions to a complement of the *Arabidopsis KCS2* coding sequence disclosed herein. The nucleic acid coding sequences of the invention may also be at least 70% identical to the *Arabidopsis KCS2* coding sequence, when optimally aligned. Embodiments of the invention include isolated nucleic acid molecules comprising the coding sequences of the invention.

In another aspect, the invention provides recombinant nucleic acid molecules comprising a promoter sequence operably linked to a nucleic acid sequence, wherein the

promoter sequence is capable of mediating gene expression in anthers and in very young leaves in *Arabidopsis*. The promoter sequences of the invention may be derived from an *Arabidopsis KCS2* promoter sequence, as disclosed herein. Promoter sequences of the invention may also hybridize under stringent conditions to the *Arabidopsis KCS2* promoter sequence disclosed herein. Promoter sequences of the invention may also be at least 70% identical to the *Arabidopsis KCS2* promoter sequence when optimally aligned.

The invention provides nucleic acid probes comprising probe sequences that hybridize under stringent conditions to a portion of an Arabidopsis *KCS2* genomic sequence; or are at least 70% identical to the portion of an Arabidopsis *KCS2* genomic sequence when optimally aligned. The invention also provides methods of isolating a nucleic acid molecule encoding a plant long chain fatty acid condensing enzyme, for example by hybridizing a nucleic acid preparation with the nucleic acid probe of the invention.

The invention provides transgenic cells (such as plant cells), plants and parts thereof, in which the plants or cells comprise the recombinant nucleic acid molecules of the invention. Such plant parts may for example include seeds or oils. Transgenic plants of the invention may have a modified phenotype compared to a non-transgenic plant of the same species, such as a modified lipid content. Methods of producing such transgenic plants are provided, for example by introducing into a plant the isolated nucleic acids of the invention. Progeny plants may be provided, produced by sexual or asexual propagation of the transgenic plants of the invention to produce transgenic descendants of transformed plants.

Purified proteins are provided, encoded by the recombinant nucleic acid molecules of the invention, including plant fatty acid condensing (elongase) enzymes and fragments thereof. Also provided are recombinant vectors comprising the recombinant nucleic acid molecules of the invention.

Antisense nucleic acid molecules are provided, wherein a portion of the nucleic acid coding sequences of the invention are provided in reverse orientation relative to an adjacent promoter sequence. Recombinant antisense nucleic acids of the invention may therefore encode an antisense RNA that hybridizes under stringent conditions to a complement of a portion of the *Arabidopsis KCS2* coding sequence; or that are at least 70% identical to a portion of the *Arabidopsis KCS2* coding sequence when optimally aligned. Transgenic plants

or plant cells of the invention may include the recombinant antisense nucleic acids of the invention.

In one embodiment, the nucleic acid coding sequences of the invention may be substantially identical to all or part of an *Arabidopsis KCS2* coding sequence. The nucleic acids of the invention may also include an RNA analog or a nucleic acid complementary to sequences of the invention. In other embodiments, the nucleic acid may be a fragment of one of the above sequences, such as a fragment that is at least 5, 10, 15, 20 or 25 nucleotides in length and that hybridizes under stringent conditions to a genomic *KCS2* DNA encoding the nucleic acid sequence. As used herein, the term "genomic sequence" includes either of the strands of a nucleic acid molecule found in the genome of an organism or cell.

In another aspect, the nucleic acids of the invention may include a DNA coding sequence encoding an enzyme of the invention, operably linked to a promoter. Promoters of the invention may be tissue-specific or have specific developmental timing. A promoter of the invention may have a nucleotide sequence substantially identical to all or part of the *KCS2* promoter region disclosed herein. Promoters of the invention may be operably linked to alternative DNAs, such as agronomically important nucleic acid sequences.

In one aspect, the invention provides methods for altering the VLCFA, fatty acid or lipid content in a plant or plant tissue, for example by introducing into a plant cell, capable of being transformed and regenerated to a whole plant, a nucleic acid of the invention. Where such nucleic acids are effective for altering the levels of VLCFAs in a plant; a plant containing the nucleic acid of the invention may be recovered having an altered phenotype.

THE DRAWINGS

Figure 1 shows the coding strand DNA sequence of a *KCS2* genomic clone from *Arabidopsis,* containing a 1001 bp long *KCS2* promoter region (5' to the initiation codon) and a 1508 bp long KCS2 coding sequence. The initiation (ATG) codon is indicated in all caps (at positions 1046-1048). The Figure identifies locations homologous or complementary to oligonucleotide primers (probes) that may be used for amplifying the wild-type *Arabidopsis KCS2* promoter (shown as kcs3 and kcs4) and the *KCS2* coding sequence (kcs1 and kcs2), these sequences are underlined and marked by arrows indicating the putative direction for amplification.

DETAILED DESCRIPTION OF THE INVENTION

The recombinant nucleic acid molecules of the invention may comprise a heterologous nucleic acid coding sequence encoding the plant long chain fatty acid condensing enzyme of the invention. In alternative embodiments, the nucleic acid coding sequence may be derived from the *Arabidopsis KCS2* coding sequence disclosed herein.

The term "recombinant" means that something has been recombined, so that when made in reference to a nucleic acid molecule the term refers to a molecule that is comprised of nucleic acid sequences that are joined together by means of molecular biological techniques. The term "recombinant" when made in reference to a protein or a polypeptide refers to a protein molecule which is expressed using a recombinant nucleic acid molecule. The term "heterologous" when made in reference to a nucleic acid sequence refers to a nucleotide sequence which is ligated to, or is manipulated to become ligated to, a nucleic acid sequence to which it is not ligated in nature, or to which it is ligated at a different location in nature. The term "heterologous" therefore indicates that the nucleic acid molecule has been manipulated using genetic engineering, i.e. by human intervention.

Sequences may be derived or obtainable from the *Arabidopsis KCS2* coding sequence by deduction and synthesis based upon the wild-type KCS2 amino acid sequence, using the redundancy of the genetic code to formulate alternative coding sequences. Derived sequences may also be identified in different organisms, for example by isolation using as probes the nucleic acid sequences of the invention. Antibodies prepared against a *KCS2* protein of the invention may also be used to identify alternative coding sequences, which are thereby derived from the coding sequence disclosed herein. Alternative KCS2 amino acid sequences of the invention, such as amino acid sequences developed through mutagenesis or substitution, may similarly be used to infer coding sequences derived from the *Arabidopsis KCS2* coding sequence disclosed herein.

Derived nucleic acids of the invention may be obtained by chemical synthesis, isolation, or cloning from genomic DNAs using techniques known in the art, such as the Polymerase Chain Reaction (PCR). Nucleic acids of the present invention may be used to design alternative primers (probes) suitable for use as PCR primers to amplify particular regions of an condensing enzyme cDNA of the invention. Such PCR primers may for example

comprise a sequence of 15-20 consecutive nucleotides of the *KCS2* cDNA of the invention. To enhance amplification specificity, primers of 20-30 nucleotides in length may also be used. Methods and conditions for PCR amplification are described in Innis et al. (1990); Sambrook et al. (1989); and Ausubel et al. (1995).

As used herein, the term "probe" when made in reference to an oligonucleotide refers to an oligonucleotide which is capable of hybridizing to another oligonucleotide of interest. A probe may be single-stranded or double-stranded. Probes are, for example, useful in the detection, identification, amplification and isolation of particular gene sequences. Oligonucleotide probes may be labelled with a "reporter molecule," so that the probe is detectable using a detection system, such as enzymatic, fluorescent, radioactive or luminescent detection systems.

Derived nucleic acids of the invention may also be identified by Southern analysis, a method by which the presence of DNA sequences in a target nucleic acid mixture are identified by hybridization to a labeled probe, comprising an oligonucleotide or DNA fragment of a nucleic acid of the invention. Probes for Southern analysis may for example be at least 15 nucleotides in length. Southern analysis typically involves electrophoretic separation of DNA digests on agarose gels, denaturation of the DNA after electrophoretic separation, and transfer of the DNA to nitrocellulose, nylon, or another suitable membrane support for analysis with a radiolabeled, biotinylated, or enzyme-labeled probe as described in Sambrook *et al.* (1989).

In alternative embodiments, the invention includes nucleic acids that encode the plant very long chain fatty acid condensing enzyme of the invention, wherein the enzyme has an amino acid sequence that is at least 70% identical to an *Arabidopsis* KCS2 amino acid sequence disclosed herein, when optimally aligned. In alternative embodiments, the degree of identity may be between 50% and 100%, such as 60%, 80%, 90%, 95% or 99%.

As is well known in the art, some modifications and changes can be made in the structure of a polypeptide without substantially altering the biological function of that peptide, to obtain a biologically equivalent polypeptide. In one aspect of the invention, fatty acid condensing enzymes may include peptides that differ from a portion of the wild-type *Arabidopsis* KCS2 sequence by conservative amino acid substitutions. As used herein, the term "conserved amino acid substitutions" refers to the substitution of one amino acid for another at

a given location in the peptide, where the substitution can be made without substantial loss of function. In making such changes, substitutions of like amino acid residues can be made, for example, on the basis of relative similarity of side-chain substituents, for example, their size, charge, hydrophobicity, hydrophilicity, and the like, and such substitutions may be assayed for their effect on the function of the peptide by routine testing.

In some embodiments, conserved amino acid substitutions may be made where an amino acid residue is substituted for another having a similar hydrophilicity value (e.g., within a value of plus or minus 2.0), where the following hydrophilicity values are assigned to amino acid residues (as detailed in United States Patent No. 4,554,101, incorporated herein by reference): Arg (+3.0); Lys (+3.0); Asp (+3.0); Glu (+3.0); Ser (+0.3); Asn (+0.2); Gln (+0.2); Gly (0); Pro (-0.5); Thr (-0.4); Ala (-0.5); His (-0.5); Cys (-1.0); Met (-1.3); Val (-1.5); Leu (-1.8); Ile (-1.8); Tyr (-2.3); Phe (-2.5); and Trp (-3.4).

In alternative embodiments, conserved amino acid substitutions may be made where an amino acid residue is substituted for another having a similar hydropathic index (e.g., within a value of plus or minus 2.0). In such embodiments, each amino acid residue may be assigned a hydropathic index on the basis of its hydrophobicity and charge characteristics, as follows: Ile (+4.5); Val (+4.2); Leu (+3.8); Phe (+2.8); Cys (+2.5); Met (+1.9); Ala (+1.8); Gly (-0.4); Thr (-0.7); Ser (-0.8); Trp (-0.9); Tyr (-1.3); Pro (-1.6); His (-3.2); Glu (-3.5); Gln (-3.5); Asp (-3.5); Asn (-3.5); Lys (-3.9); and Arg (-4.5).

In alternative embodiments, conserved amino acid substitutions may be made where an amino acid residue is substituted for another in the same class, where the amino acids are divided into non-polar, acidic, basic and neutral classes, as follows: non-polar: Ala, Val, Leu, Ile, Phe, Trp, Pro, Met; acidic: Asp, Glu; basic: Lys, Arg, His; neutral: Gly, Ser, Thr, Cys, Asn, Gln, Tyr.

The nucleic acid coding sequences of the invention also include sequences that hybridize under stringent conditions to a complement of the *Arabidopsis KCS2* coding sequence disclosed herein. The nucleic acid coding sequences of the invention may also be at least 70% identical to the *Arabidopsis KCS2* coding sequence, when optimally aligned. Embodiments of the invention include isolated nucleic acid molecules comprising the coding sequences of the invention.

The present invention provides an isolated nucleic acid encoding a plant elongase enzyme that mediates biosynthesis of 18:0, 20:0, 22:0 and 24:0 fatty acids in plants. In a preferred embodiment, the nucleic acid encodes *KCS2* identified in *Arabidopsis* shown in Figure 1.

By isolated, it is meant that the isolated substance has been substantially separated or purified away from other biological components with which it would otherwise be associated, for example *in vivo*. The term 'isolated' therefore includes substances purified by standard purification methods, as well as substances prepared by recombinant expression in a host, as well as chemically synthesized substances.

The nucleic acids of this invention may be genomic or cDNA and may be isolated from cDNA or genomic libraries or directly from isolated plant DNA. Nucleic acids of this invention further include sequences corresponding to the *KCS2* protein as well as sequences obtainable from the *KCS2* protein or nucleic acid sequences. By corresponding is meant nucleic acid sequences, either DNA or RNA, including those which encode the *KCS2* protein or a portion thereof, the promoter sequence found 5' to said encoding sequence, intron sequences not present in the cDNA, as well as sequences encoding any leader or signal peptide of a precursor protein that may not be found in the mature elongase protein. A nucleic acid of the invention may further comprise additional nucleic acids. For example, linkers, modified or unmodified restriction endonuclease sites and other nucleic acid sequences useful for cloning, expression, or purification.

Sequences having substantial identity will hybridize under stringent conditions. Hybridization to filter-bound sequences may for example, be performed in 0.5 M $NaHPO_4$, 7% sodium dodecyl sulfate (SDS), 1 mM EDTA at 65°C, and washing in 0.2 x SSC/0.1% SDS at 42°C (Ausubel *et al.*, 1995). Alternatively hybridization to filter-bound sequences may for example, be performed in 0.5 M $NaHPO_4$, 7% sodium dodecyl sulfate (SDS), 1 mM EDTA at 65°C, and washing in 0.1 x SSC/0.1% SDS at 68°C (Ausubel *et al.*, 1995). Hybridization conditions may be modified in accordance with known methods depending on the sequence of interest (Tijssen, 1993). Generally, stringent conditions are selected to be about 5°C lower than the thermal melting point for the specific sequence at the defined ionic strength and pH.

A nucleic acid may also be identified by Northern analysis, a method used to identify RNAs that hybridize to a known probe such as an oligonucleotide, DNA fragment, cDNA or fragment thereof, or RNA fragment of a nucleic acid of the invention. The probe is labeled with a radioisotope such as ^{32}P, by biotinylation or with an enzyme. The RNA to be analyzed may be electrophoretically separated on an agarose or polyacrylamide gel, transferred to nitrocellulose, nylon, or other suitable membrane, and hybridized with the probe, using standard techniques well known in the art such as described in Sambrook *et al.* (1989).

A nucleic acid of the invention may alternatively be obtained by immunological screening. Antibodies to the KCS2 protein may be used to identify related protein in extracts of desired plant species. Two amino acid sequences are considered substantially identical if one peptide is specifically immunologically reactive with antibodies that are also specifically immunoreactive against the other peptide. Specific immunoreactivity of antibodies to peptides may be assessed using a variety of immunoassay formats, such as solid-phase ELISA immunoassays for selecting monoclonal antibodies specifically immunoreactive with a protein (Harlow and Lane, 1988).

Optimal alignment of sequences for comparisons of identity may be conducted using a variety of algorithms, such as the local homology algorithm of Smith and Waterman (1981), the homology alignment algorithm of Needleman and Wunsch (1970), the search for similarity method of Pearson and Lipman (1988), and the computerized implementations of these algorithms (such as GAP, BESTFIT, FASTA and TFASTA in the Wisconsin Genetics Software Package, Genetics Computer Group, Madison, WI, U.S.A.). Sequence alignment may also be carried out using the BLAST algorithm described in Altschul *et al.* (1990), using the published default settings.

Software for performing BLAST analysis may be available through the National Center for Biotechnology Information (through the internet at http://www.ncbi.nlm.nih.gov/). The BLAST algorithm involves first identifying high scoring sequence pairs (HSPs) by identifying short words of length W in the query sequence that either match or satisfy some positive-valued threshold score T when aligned with a word of the same length in a database sequence. T is referred to as the neighbourhood word score threshold. Initial neighbourhood word hits act as seeds for initiating searches to find longer HSPs. The word hits are extended in both directions along each sequence for as far as the cumulative alignment score can be increased. Extension of the word hits in each direction is halted when the following parameters are met:

the cumulative alignment score falls off by the quantity X from its maximum achieved value; the cumulative score goes to zero or below, due to the accumulation of one or more negative-scoring residue alignments; or the end of either sequence is reached. The BLAST algorithm parameters W, T and X determine the sensitivity and speed of the alignment. The BLAST programs may use as defaults a word length (W) of 11, the BLOSUM62 scoring matrix (Henikoff and Henikoff, 1992, *Proc. Natl. Acad. Sci. USA* 89: 10915-10919) alignments (B) of 50, expectation (E) of 10 (which may be changed in alternative embodiments to 1 or 0.1 or 0.01 or 0.001 or 0.0001; although E values much higher than 0.1 may not identify functionally similar sequences, it is useful to examine hits with lower significance, E values between 0.1 and 10, for short regions of similarity), M=5, N=4, for nucleic acids a comparison of both strands. For protein comparisons, BLASTP may be used with defaults as follows: G=11 (cost to open a gap); E=1 (cost to extend a gap); E=10 (expectation value, at this setting, 10 hits with scores equal to or better than the defined alignment score, S, are expected to occur by chance in a database of the same size as the one being searched; the E value can be increased or decreased to alter the stringency of the search.); and W=3 (word size, default is 11 for BLASTN, 3 for other blast programs).

The BLOSUM matrix assigns a probability score for each position in an alignment that is based on the frequency with which that substitution is known to occur among consensus blocks within related proteins. The BLOSUM62 (gap existence cost = 11; per residue gap cost = 1; lambda ratio = 0.85) substitution matrix is used by default in BLAST 2.0. A variety of other matrices may be used as alternatives to BLOSUM62, including: PAM30 (settings: 9,1,0.87); PAM70 (settings: 10,1,0.87) BLOSUM80 (settings: 10,1,0.87); BLOSUM62 (settings: 11,1,0.82) and BLOSUM45 (settings: 14,2,0.87). One measure of the statistical similarity between two sequences using the BLAST algorithm is the smallest sum probability (P(N)), which provides an indication of the probability by which a match between two nucleotide or amino acid sequences would occur by chance. In alternative embodiments of the invention, nucleotide or amino acid sequences may be identified as sequences of the invention where the smallest sum probability in a comparison to a reference KCS2 amino acid or *KCS2* nucleic acid test sequence is less than about 1, preferably less than about 0.1, more preferably less than about 0.01, and most preferably less than about 0.001.

When a position in the compared sequence is occupied by the same nucleotide or amino acid, following optimal alignment of the sequences, the molecules are considered to have

identity at that position. The degree of identity between sequences is a function of the number of matching positions shared by the sequences. In terms of percentage, identity is the sum of identical positions, divided by the total length over which the sequences are aligned, multiplied by 100.

It will be recognized by one of ordinary skill in the art that nucleic acids of this invention may be modified using standard techniques of site specific mutation or PCR, or modification of the sequence may be accomplished in producing a synthetic nucleic acid sequence. Such modified sequences are also considered in this invention. For example, due to the degeneracy of the genetic code, which is well-known to the art; i.e., for many amino acids, there is more than one nucleotide triplet which serve as the codon for the amino acid, codons may be changed such that the nucleic acid sequence encodes the same amino acid sequence, or alternatively, codons may be altered such that conservative amino acid substitutions or substitutions of similar amino acids result without affecting protein function.

In another aspect of the invention, the nucleic acid may further comprise a promoter operably linked to the enzyme-encoding region. A first nucleic acid sequence is operably linked with a second nucleic acid sequence when the first nucleic acid sequence is placed in a functional relationship with the second nucleic acid sequence. For instance, a promoter is operably linked to a coding sequence if the promoter affects the transcription or expression of the coding sequences. Generally, operably linked DNA sequences are contiguous and, where necessary to join two protein coding regions, in reading frame.

A promoter, as used herein, is a DNA sequence in a gene, usually (but not necessarily) upstream (5') to its coding sequence, which controls the expression of the coding sequence by providing the recognition for RNA polymerase and other factors required for proper transcription. In artificial DNA constructs promoters may also be used to transcribe antisense RNA. Promoters may also contain DNA sequences that are involved in the binding of protein factors which control the effectiveness of transcription initiation in response to physiological or developmental conditions. A promoter may also contain enhancer elements, a DNA sequence which can stimulate promoter activity. A gene of the present invention may also include transcription termination signals.

In one embodiment of the invention, the nucleic acid may be used to alter the composition and accumulation of fatty acids in plant cells. For example, for over-expression, which refers to production of a gene product exceeding levels of production in normal or non-transformed organisms, a plant promoter may be employed which will direct expression of the elongase in all tissues of a regenerated plant. Over-expression of the gene, for example, in plant epidermal cells could increase cuticle accumulation thereby increasing drought and stress tolerance of transgenic plants over control plants. Such promoters are referred to herein as "constitutive" promoters and are active under most environmental conditions and states of development or cell differentiation. Examples of constitutive promoters include the cauliflower mosaic virus (CaMV) 35S transcription initiation region, the 1'- or 2'- promoter derived from T-DNA of *Agrobacterium tumefaciens*, and other transcription initiation regions from various plant genes known to those of skill in the art.

In various embodiments, the invention comprises plants transformed with the nucleic acids of the invention. In some embodiments, such plants will exhibit altered fatty acid content in one or more tissues. These aspects of the invention relate to all higher plants, including monocots and dicots, such as species from the genera *Fragaria. Lotus, Medicago, Onobrychis, Triforium, Trigonelia, Wgna, Citrus, Linum. Geranium, Manihot, Caucus, Arabidopsis, Brassica, Raphanus, Sinapis, Atropa, Capsicum, Hyoscyamus, Lycopersicon, Nicotiana, Solanum, Petunia, Digitalis, Majorana, Cichorium, Helianthus, Lactuca, Bromus, Asparagus, Antirrhinum, Heterocatlis, Nemesia, Pelargonium, Panicum, Penniserum, Ranunculus, Senecio, Salpiglossis, Cucarnis, Browallia, Glycine, Lolium, Zea, Triticum, Sorghum, and Datura*. Such plants may include maize, wheat, rice, barley, soybean, beans, rapeseed, canola, alfalfa, flax, sunflower, cotton, clover, lettuce, tomato cucurbits, potato carrot, radish, pea lentils, cabbage, broccoli, brussel sprouts, peppers, apple, pear, peach, apricot, carnations and roses. More specifically, in alternative embodiments, plants for which the invention may be used in modifying fatty acid content include oil crops of the *Cruciferae* family: canola, rapeseed (*Brassica* spp.), crambe (*Crambe* spp.), honesty (*Lunaria* spp.) lesquerella (*Lesquerela* spp.), and others; the *Composirae* family: sunflower (*Helianthus* spp.), safflower (*Carthamus* spp.), niger (*Guizotia* spp.) and others; the *Palmae* family: palm (*Elaeis* spp.), coconut (*Cocos* spp.) and others; the *Leguminosae* family: peanut (*Arachis* spp.), soybean (*Glycine* spp.) and others; and plants of other families such as maize (*Zea* spp.), cotton (*Gossvpiun* sp.), jojoba (*Simonasia* sp.), flax (*Linum* sp.), sesame (*Sesamum* spp.), castor bean

(*Ricinus* spp.), olive (*Olea* spp.), poppy (*Papaver* spp.), spurge (*Euphorbia*, spp.), meadowfoam (*Limnanthes* spp.), mustard (*Sinapis* spp.) and cuphea (*Cuphea* spp.).

The promoter of the invention may direct expression of the elongase gene in a specific tissue or may be otherwise under more precise environmental or developmental control. Such promoters are referred to here as "inducible" promoters. Examples of environmental conditions that may effect transcription by inducible promoters include anaerobic conditions, elevated temperature, or the presence of light. Examples of promoters under developmental control include promoters that initiate transcription only in certain tissues, such as fruit, seeds, or flowers.

In other embodiments, a nucleic acid disclosed herein may be used for cosuppression or antisense inhibition. Antisense inhibition refers to the production of antisense RNA transcripts capable of preventing or reducing the expression of the target protein. The term "antisense" as used herein refers to a nucleotide sequence in which the sequence of residues is in reverse 5' to 3' orientation in relation to the sequence of residues in a sense strand of a nucleic acid coding sequence. A "sense" or "coding" strand or sequence refers to a sequence that may be transcribed by a cell into an mRNA encoding a protein. An "antisense" sequence will therefore generally have the same sequence as the non-coding strand in a DNA duplex, and an antisense RNA will be complementary to an "antisense" sequence. Co-suppression refers to the phenomenon in which expression of a foreign gene which has substantial homology to an endogenous gene results in the suppression of expression of both the foreign and the endogenous gene.

As used herein, the terms "complementary" or "complementarity" when used in reference to polynucleotides refer to polynucleotides which are related by the base-pairing rules, including the rules governing complementarity between DNA and RNA. For example, the sequence 5'-AGT-3' is complementary to the sequence 5'-ACT-3'.

In another embodiment of the invention, the *KCS2* promoter disclosed herein may be operably linked to agronomically important genes, other than the elongase gene disclosed in the present invention. For example, the *KCS2* promoter may be operably linked to the Bt gene, encoding a protein insecticide, to confer insect resistance on the transformed plant (US Patent No. 5,723,756). The *KCS2* promoter may be operably linked to genes encoding proteins,

which have fungal, bacterial and viral inhibiting effects, such as lysozyme, chitinase, attacin, and cecropin (US Patent No. 5,597,946) to confer fungal/bacterial resistance on transformed plants.

A cell, tissue, organ, or organism into which has been introduced a foreign nucleic acid, is considered "transformed", "transfected", or "transgenic". A transgenic or transformed cell or organism also includes progeny of the cell or organism and progeny produced from a breeding program employing a transgenic plant as a parent in a cross and exhibiting an altered phenotype resulting from the presence of a recombinant nucleic acid construct. A transgenic plant is therefore a plant that has been transformed with a heterologous nucleic acid, or the progeny of such a plant that includes the transgene. The invention provides vectors, such as vectors for transforming plants or plant cells. The term "vector" in reference to nucleic acid molecule generally refers to a molecule that may be used to transfer a nucleic acid segment(s) from one cell to another.

Another aspect of the invention provides transgenic plant cells, plant tissues derived from such plant cells, and descendants thereof. Nucleic acids of the invention may be introduced into the genome of the desired plant host by a variety of conventional techniques which include, without limitation, electroporation and microinjection of plant cell prototplasts and polyethylene glycol precipitation (such as are disclosed in Paszkowski *et al.* (1984); Fromm *et al.*, (1985); Rogers *et al.*, (1986); and in U.S Patent Nos. 4,684,611; 4,801,540; 4,743,548 and 5,231,019), ballistic methods such as DNA particle bombardment (for example as disclosed in Klein, *et al.*, (1987); Gordon-Kamm, *et al.* (1990); and in U.S. Patent Nos. 4,945,050; 5,015,580; 5,149,655 and 5,466,587); *Agrobacterium*-mediated transformation methods (such as those disclosed in Horsch *et al. Science* (1984); Fraley *et al.*, (1983); and U.S. Patent Nos. 4,940,838 and 5,464,763). Alternative transformation protocols are disclosed for example in U.S. Pat. No. 5,584,807; 5,501,967; Fraley et al. (1982) *Proc. Natl. Acad. Sci. USA* 79:1859-1863; Krens et al. (1982) *Nature* 296:72-74).

Transformed plant cells, which may be derived by any of the above transformation techniques, may be cultured to regenerate whole plants having the transformed genotype and displaying a desired phenotype, as for altered VLCFA levels. A variety of plant culture techniques may be used to regenerate whole plants, such as described in Gamborg and Phillips (1995); Evans *et al.* (1983); or Binding, (1985); or in Klee (1987).

One of skill will recognize that after the nucleic acid is stably incorporated in transgenic plants and confirmed to be operable, it can be introduced into other plants by sexual crossing. Any of a number of standard breeding techniques may be used, depending upon the species to be crossed.

Nucleic acids of the invention may also be used as a plant breeding tool, as molecular markers to aid in plant breeding programs. Such techniques would include using the gene itself as a molecular probe or using the DNA sequence to design PCR primers to use PCR based screening techniques in plant breeding programs.

The invention now being generally described, it will be more readily understood by references to the following examples, which are included for purposes of illustration only and are not intended to limit the invention unless so stated.

Example 1

Cloning *KCS2*

Following discovery and sequencing of the region of KCS2 in *Arabidopsis*, synthetic oligonucleotides homologous to portions of the *KCS2* genomic sequence were prepared and used as primers to amplify either 1508 bp or 1001 bp of continuous *KCS2* DNA sequence by PCR. As shown in Figure 1, the upstream primer was 5'-GTATCATCAACAAAAATATC-3' (kcs1) in combination with the downstream primer 5'-CAAAGATCGATCTTAACC-3' (kcs2) for the PCR-synthesis of the 1508 bp genomic DNA fragment, which includes a complete coding sequence. Primers 5'-CGATCACGGAGTAGAGAA-3' (kcs3) and 5'-GGACAGTTTCTAAAGCAG-3' (kcs4) were used for the PCR-amplification of the 1001 bp of the 5' untranslated region (promoter fragment). The amplified 1508 bp fragment was subcloned in the EcoRI site of the plasmid pCR2.1 (Invitrogen) to produce plasmid pCR-KCS2, whereas the 1001 bp promoter fragment was subcloned in the SmaI site of the plasmid pGEM7zf (Promega) to produce plasmid pGEM-proKCS2. The cloned DNA fragments were then completely sequenced on both strands using an automatic sequencer by the dideoxy chain termination method. These two fragments together comprise 2508 bp of continuous genomic DNA sequence shown in Figure 1. This DNA sequence represents a 1001 bp 5' untranslated region (i.e., nucleotides preceding the first ATG codon), and a 1461 bp open reading frame that encodes a 487 amino acid protein with a predicted molecular weight of 54,900 Da (KCS2).

Example 2

Expression of KCS2 in Yeast

The full length *KCS2* cDNA was expressed in *Saccharomyces cerevisiae* linked to the GAL10 inducible promoter. The *KCS2* gene was cleaved from pCR2.1 with EcoRI and inserted into the EcoRI site of the polylinker of the *S. cerevisiae* expression vector pESC-TRP (Stratagene), resulting in the plasmid pESC-KCS2. The construct was transformed into the *S. cerevisiae* strain YPHY99 by standard procedures (Schiestl and Gietz, 1989) and transformants selected on minimal medium agar plates lacking tryptophan (Ausubel *et al.*, 1995).

When yeast cells harboring the pESC-*KCS2* construct were grown in the presence of galactose, 18:0, 20:0, 22:0 and 24:0 fatty acids accumulated (which are not normally present in the YPHY99 yeast stain, and were not detected in cultures of yeast transformed with the pESC plasmid alone). Previous work on FAE1 indicates that the yeast expression system is a predictive model of elongase condensing enzyme activity in plants (Millar and Kunst, 1997). Accordingly, the yeast expression results disclosed herein shows that the *KCS2* gene encodes an elongase (condensing) enzyme capable of mediating biosynthesis of saturated VLCFAs, including 18:0, 20:0, 22:0 and 24:0 fatty acids, in a wide variety of organisms.

Example 3

Activity of the Tissue-Specific *KCS2* Promoter

In order to confirm and more precisely delineate *KCS2* expression patterns, 5' flanking sequences from the *KCS2* genomic clone were translationally fused (operatively linked) to the *uidA* reporter gene encoding beta-glucuronidase (GUS). The inserts were cleaved out of pGEM7zf with BamHI and XbaI and directionally subcloned into the corresponding sites of the binary Ti plasmid pBI101 (Clontech), which contains a promoterless GUS gene (Jefferson et al. 1987). The pKCS2-GUS fusion construct in pBI101 was introduced into *Agrobacterium tumefaciens* strain GV3101 (Koncz and Schell, 1986) by heat-shock and selected for resistance to kanamycin (50 (g/ml).

The *pKCS2*-GUS fusion was introduced into *Arabidopsis* using the floral dip method (Clough and Bent, 1998). Screening for transformed seed was done on 50 micrograms/mL kanamycin as described previously (Katavic et al., 1994). The *KCS2* promoter expression pattern was determined using GUS histochemical assays using buffer containing X-GLUC on

whole seedlings, leaves at different stages of development, stems, flowers, siliques and roots on a large number of *pKCS2*-GUS transgenic lines. Wild type plants treated with GUS buffer under the same conditions were used as controls.

The expression pattern observed for the *KCS2* promoter in the *pKCS2*-GUS fusion was consistent in all transgenic lines tested. GUS activity was only observed in the anthers and very young emerging leaves (1-2 mm in size). No GUS expression was detected in any of the other tissues or the wild type controls. Expression of *KCS2* in the anthers was confirmed by RNA blot analysis, using the full *KCS2* ORF (Open Reading Frame) as a probe, confirming that the *Arabidopsis KCS2* promoter mediates the expression of heterologous proteins in a tissue specific manner.

Example 4

Analysis of the Specificity of the KCS2 Gene Product

Expression of the *KCS2* gene under the control of GAL10, a galactose-inducible promoter in yeast cells expressing *pESC-KCS2* results in the appearance of four extra peaks in GC chromatograms. These peaks correspond to the saturated VLCFAs 20:0, 22:0, 24:0 and 26:0, suggesting *KCS2* condensing enzyme can elongate fatty acids from C18 to C24 in length.

To test the ability of *KCS2* to elongate an acyl chain *in planta*, the full *KCS2* coding sequence was placed behind the *FAE1* seed specific promoter. The recipient plant used for the experiment was the mutant CB25, which contains a lesion in the *FAE1* gene, resulting in a truncated *FAE1* protein. Thus, CB25 plants do not make VLCFAs in the seeds, and all the VLCFAs observed would be the product of the *KCS2* condensing enzyme.

Gas chromatography analysis was performed on seeds of 50 transgenic lines and compared to CB25 seeds. A number of lines showed a fatty acid profile different from the one observed for CB25 seeds. The most dramatic difference was observed in the levels of mono-unsaturated C20:1 fatty acid, which in some lines shows an increase of almost 100-fold when compared to the control, followed by C22:1 fatty acid and C20:0 fatty acid, as shown in Table 1.

Table 1.

Fatty Acid Profile of *KCS2* Expression

FA	CB25	5-6	5-15	5-8	6-8	5-10	5-16	6-7
	% area	% area	% area	% area	% area	% area	% area	% area
16:0	12.18	8.93	9.58	8.89	11.70	8.65	9.22	9.44
16:1	0.67	0.41	0.53	0.46	0.77	0.39	0.43	0.61
18:0	2.92	3.69	4.85	3.93	2.92	3.01	3.49	3.49
18:1	27.59	20.86	19.95	14.07	15.16	20.09	25.37	12.52
18:2	33.47	29.90	28.98	27.62	28.83	30.72	30.97	29.06
18:3	22.02	23.12	19.15	21.60	22.12	22.18	23.32	20.67
20:0	0.63	1.13	1.84	2.10	1.35	1.11	0.87	1.82
20:1	0.24	11.16	14.02	19.49	15.73	12.89	5.74	20.45
22:0	0.16	0.19	0.25	0.29	0.23	0.19	0.18	0.25
22:1	0.00	0.45	0.66	1.32	0.10	0.63	0.26	1.55
24:1	0.10	0.14	0.17	0.21	0.17	0.14	0.14	0.14

The identity of the peaks was estimated by comparing their retention times to known fatty acid standards.

Example 5

Utility of KCS2 for Seed Oil Modification

Results of the experiments described above show that the *KCS2* gene is primarily expressed in flower buds and demonstrate that *KCS2* condensing enzyme can elongate VLCFAs in *Arabidopsis* seeds. In an attempt to co-suppress *KCS2* in order to obtain a loss-of-function phenotype, as well as a gain-of-function, over-expression phenotype, the strong CaMV 35S promoter was used to constitutively express *KCS2* in all plant tissues.

RNA blot analyses carried out on randomly selected transgenic lines to assess the level of expression of the 35S-*KCS2* transgene demonstrated high levels of expression of the *KCS2* gene in a number of lines. To determine whether high levels of the *KCS2* expression translated into higher levels of VLCFAs in the seed, seed of the 35S-*KCS2* plants showing the highest levels of the *KCS2* transcript were subjected to gas chromatography analyses.

Fatty acid profiles of all the transgenic lines tested differ significantly from the wild type as shown in Figure 2. The main difference was observed in the level of 20:1 fatty acid (approximately 18% versus 12% in wild type), and a reduced 18:1 content. Apparently, the expression of *KCS2* in seeds increases the rate of conversion of 18:1 to 20:1 fatty acids and as

a result, all the transgenic 35S-*KCS2* lines accumulate significantly more total VLCFAs than the wild type seeds. A calculation of the proportion of VLCFAs with respect to total fatty acids showed that all the transgenic lines tested have over 20% of VLCFAs, whereas in the wild type VLCFAs account for 16.9% of total fatty acids.

REFERENCES

All publications, including patent applications referred to herein and including the following, are hereby incorporated by reference:

WO 95/15387

WO 96/13582

U.S. Patent No. 4,940,838

U.S. Patent No. 5,464,763

U.S. Patent No. 4,945,050

U.S. Patent No. 5,015,580

U.S. Patent No. 5,149,655

U.S. Patent No. 5,466,587

U.S Patent No. 4,684,611

U.S Patent No. 4,801,540

U.S Patent No. 4,743,548

U.S Patent No. 5,231,019

US Patent No. 5,597,946

US Patent No. 5,723,756

Ausubel, F.M. *et al.* eds., (1995) Current Protocols in Molecular Biology (New York: John Wiley and Sons).

Altschul S.F. *et al.* (1990) Basic local alignment search tool. J Mol Biol. 215(3):403-410.

Binding, "Regeneration of Plants. Plant Protoplasts", CRC Press, Boca Raton, 1985.

Clough,S.J. and Bent,A.F. (1998) Floral dip: a simplified method for *Agrobacterium*-mediated transformation of *Arabidopsis thaliana*. Plant J. 16: 735-743.

Evans *et al.* "Protoplasts Isolation and Culture". Handbook of Plant Cell Culture, Macmillan Publishing Company, New York, 1983.

Fraley *et al., Proc. Natl. Acad. Sci. USA* 80:4803 (1983).

Fromm *et al., Proc. Natl. Acad. Sci. USA* 82:5824 (1985).

Gamborg and Phillips, "Plant Cell, Tissue and Organ Culture, Fundamental Methods", Springer Berlin, 1995.

Gordon-Kamm, *et al.* "The Plant Cell" 2:603 (1990).

Haque, M.M. *et al.*(1992) Inheritance of leaf epicuticular wax content in rice. Crop Sci. 32: 865-868.

Harlow and Lane (1988) *Antibodies. A Laboratory Manual.* Cold Spring Harbor Publications, New York.

Horsch *et al. Science* 233:496 (1984).

Innis, *et al.* eds. PCR Protocols. A Guide to Methods and Application. (Academic Press, Inc. San Diego, CA. 1990).

James, D.W. and Dooner, H.K. (1990) Isolation of EMS induced mutations in *Arabidopsis* altered in seed fatty acid composition. Theoretical and Applied Genetics 80: 241-245.

Jefferson. R.A. *et al.* (1987) GUS fusions: -glucuronidase as a sensitive and versatile gene fusion marker system in higher plants. EMBO J. 6: 3901-3907.

Katavic. V. *et al.* (1994) In plant transformation of *Arabidopsis thaliana*. Mol.Gen.Genet. 245: 363-370.

Klee *et al., Ann. Rev. of Plant Phys.* 38:467 (1987).

Klein, *et al., Nature* 327:70 (1987).

Koncz, C. and Schell, J. (1986) The promoter of TL-DNA gene 5 controls the tissue-specific expression of chimeric genes carried by a novel type of *Agrobacterium* binary vector. Mol. Gen. Genet. 204: 383-396.

Kunst, L. *et al.* (1992) Fatty Acid Elongation in developing seeds of *Arabidopsis thaliana*. Plant Physiol. Biochem. 30: 425-434.

Lassner *et al.* (1996) A Jojoba β-keto-acyl-coA-synthase cDNA compliments the Canola fatty acid elongation mutation in transgenic plants. Plant Cell 8: 281-292.

Lemieux *et al.* (1990) Mutants of *Arabidopsis* with alterations in seed lipid fatty acids. Theoretical and Applied Genetics 80: 234-240.

Millar. A.A.. and Kunst, L. (1997) Very-long-chain fatty acid biosynthesis is controlled through the expression and specificity of the condensing enzyme. Plant J. 12: 121-131.

Millar, A.A. *et al.* (1999) CUT1. an Arabidopsis gene required for cuticular wax biosynthesis and pollen fertility, encodes a very-long-chain fatty acid condensing enzyme. Plant Cell 11: 825-838.

Needleman and Wunsch (1970) J. Mol. Biol. 48:443.

O'Toole, J.C. and Cruz, R.T. (1983) Genotypic variation in epicuticular wax of rice. Crop Sci. 23: 392-394.

Paszkowski *et al. EMBO J.* 3:2717 (1984).

Pearson and Lipman. 1988. *Proc. Natl. Acam. Sci. USA* 85:2444.

Post-Beittenmiller, D. (1996) Biochemistry and molecular biology of wax production in plants. Annu. Rev. Plant Physiol. Mol. Biol. 47: 405-430.

Rogers *et al., Methods Enzymol.* 118:627 (1986).

Sambrook, *et al.* Molecular Cloning: A Laboratory Manual. (2nd ed., Vols. 1-3. Cold Spring Harbor Laboratory (1989).

Schiestl, R.H., and Gietz, R.D. (1989) High efficiency transformation of intact yeast cells using single stranded nucleic acids as a carrier. Curr. Genet. 16: 339-346.

Smith and Waterman (1981) Adv. Appl. Math 2:482.

Tijssen, (1993) Laboratory Techniques in Biochemistry and Molecular Biology – Hybridization with Nucleic Acid Probes, Part I, Chapter 2 "Overview of Principles in Hybridization and the Strategy of Nucleic Acid Probe Assays" (Elsevier, New York).

CONCLUSION

Although various embodiments of the invention are disclosed herein, many adaptations and modifications may be made within the scope of the invention in accordance with the common general knowledge of those skilled in this art. Such modifications include the substitution of known equivalents for any aspect of the invention in order to achieve the same result in substantially the same way. Numeric ranges are inclusive of the numbers defining the range. In the specification, the word "comprising" is used as an open-ended term, substantially equivalent to the phrase "including, but not limited to", and the word "comprises" has a corresponding meaning. Citation of references herein shall not be construed as an admission that such references are prior art to the present invention. All publications, including but not limited to patents and patent applications, cited in this specification are incorporated herein by

reference as if each individual publication were specifically and individually indicated to be incorporated by reference herein and as though fully set forth herein.

What is claimed is:

1. A recombinant nucleic acid molecule comprising a heterologous nucleic acid coding sequence encoding a plant long chain fatty acid condensing enzyme, wherein:

a) the nucleic acid coding sequence is derived from an *Arabidopsis KCS2* coding sequence; or

b) the plant very long chain fatty acid condensing enzyme catalyses the condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA, wherein the plant very long chain fatty acid condensing enzyme has an amino acid sequence that is at least 70% identical to an *Arabidopsis* KCS2 amino acid sequence when optimally aligned; or

c) the nucleic acid coding sequence hybridizes under stringent conditions to a complement of the *Arabidopsis KCS2* coding sequence; or

d) the nucleic acid coding sequence at least 70% identical to the *Arabidopsis KCS2* coding sequence when optimally aligned.

2. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence is derived from the *Arabidopsis KCS2* coding sequence.

3. The recombinant nucleic acid molecule of claim 1 wherein the plant very long chain fatty acid condensing enzyme catalyses the condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA, wherein the plant very long chain fatty acid condensing enzyme has an amino acid sequence that is at least 70% identical to the *Arabidopsis* KCS2 amino acid sequence when optimally aligned.

4. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence hybridizes under stringent conditions to the complement of the *Arabidopsis KCS2* coding sequence.

5. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence at least 70% identical to the *Arabidopsis KCS2* coding sequence when optimally aligned.

6. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence at least 90% identical to a wild-type *Arabidopsis KCS2* coding sequence when optimally aligned.

7. The recombinant nucleic acid molecule of claim 1 wherein the nucleic acid coding sequence at least 95% identical to a wild-type *Arabidopsis KCS2* coding sequence when optimally aligned.

8. An isolated nucleic acid molecule comprising a nucleic acid coding sequence that encodes a plant long chain fatty acid condensing enzyme, wherein:

a) the nucleic acid coding sequence is derived from an *Arabidopsis KCS2* coding sequence; or

b) the plant long chain fatty acid condensing enzyme catalyses the condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA, wherein the plant very long chain fatty acid condensing enzyme has an amino acid sequence that is at least 70% identical to an *Arabidopsis* KCS2 amino acid sequence when optimally aligned; or

c) the nucleic acid coding sequence hybridizes under stringent conditions to a complement of the *Arabidopsis KCS2* coding sequence; or

d) the nucleic acid coding sequence is at least 70% identical to the *Arabidopsis KCS2* coding sequence when optimally aligned.

9. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence is derived from the *Arabidopsis KCS2* coding sequence.

10. The isolated nucleic acid molecule of claim 8, wherein the plant long chain fatty acid condensing enzyme catalyses the condensation of malonyl-CoA with a C16, C18, C20 or C22 acyl-CoA, wherein the plant very long chain fatty acid condensing enzyme has an amino acid sequence that is at least 70% identical to an *Arabidopsis* KCS2 amino acid sequence when optimally aligned.

11. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence hybridizes under stringent conditions to a complement of the *Arabidopsis KCS2* coding sequence.

12. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence is at least 70% identical to the *Arabidopsis KCS2* coding sequence when optimally aligned.

13. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence is at least 90% identical to a wild-type *Arabidopsis KCS2* coding sequence when optimally aligned.

14. The isolated nucleic acid molecule of claim 8, wherein the nucleic acid coding sequence is at least 95% identical to a wild-type *Arabidopsis KCS2* coding sequence when optimally aligned.

15. A recombinant nucleic acid molecule comprising a promoter sequence operably linked to a nucleic acid sequence, wherein the promoter sequence is capable of mediating gene expression in anthers and in very young leaves in *Arabidopsis* and:

a) is derived from an *Arabidopsis KCS2* promoter sequence; or

b) hybridizes under stringent conditions to the *Arabidopsis KCS2* promoter sequence; or,

c) is at least 70% identical to the *Arabidopsis KCS2* promoter sequence when optimally aligned.

16. The recombinant nucleic acid molecule of claim 15, wherein the promoter sequence is derived from the *Arabidopsis KCS2* promoter sequence.

17. The recombinant nucleic acid molecule of claim 15, wherein the promoter sequence hybridizes under stringent conditions to the *Arabidopsis KCS2* promoter sequence.

18. The recombinant nucleic acid molecule of claim 15, wherein the promoter sequence is at least 70% identical to the *Arabidopsis KCS2* promoter sequence when optimally aligned.

19. The recombinant nucleic acid molecule of claim 15, wherein the promoter sequence is at least 90% identical to a wild-type *Arabidopsis KCS2* promoter sequence when optimally aligned.

20. A nucleic acid probe comprising a probe sequence that:

a) hybridizes under stringent conditions to a portion of an Arabidopsis *KCS2* genomic sequence; or

b) is at least 70% identical to the portion of an Arabidopsis *KCS2* genomic sequence when optimally aligned.

21. The nucleic acid probe of claim 20 wherein the probe sequence hybridizes under stringent conditions to a portion of the Arabidopsis *KCS2* genomic sequence.

22. The nucleic acid probe of claim 20 wherein the probe sequence is at least 70% identical to the portion of the Arabidopsis *KCS2* genomic sequence when optimally aligned.

23. The nucleic acid probe of claim 20 wherein the probe sequence is at least 90% identical to a portion of a wild-type Arabidopsis *KCS2* genomic sequence when optimally aligned.

24. A transgenic plant comprising the recombinant nucleic acid molecule of any one of claims 1 through 7.

25. A part of the transgenic plant of claim 24.

26. The part of the transgenic plant of claim 25, wherein the part is a seed.

27. The transgenic plant of claim 24, wherein the transgenic plant has a modified phenotype compared to a non-transgenic plant of the same species.

28. A transgenic cell comprising the recombinant nucleic acid molecule of any one of claims 1 through 7.

29. The transgenic cell of claim 28, wherein the cell is a plant cell.

30. A method of producing a transgenic plant comprising introducing into the plant the isolated nucleic acid molecule of any one of claims 8 through 14.

31. A progeny plant produced by sexual or asexual propagation of the transgenic plant produced by the method of claim 30.

32. A purified protein encoded by the recombinant nucleic acid molecule of any one of claims 1 through 7.

33. A recombinant vector comprising the recombinant nucleic acid molecule of any one of claims 1 through 7.

34. A recombinant antisense nucleic acid molecule wherein a portion of the heterologous nucleic acid coding sequence of claim 1 is in reverse orientation relative to an adjacent promoter sequence.

35. The recombinant antisense nucleic acid of claim 34, wherein the recombinant antisense nucleic acid encodes an antisense RNA that:

a) hybridizes under stringent conditions to a complement of a portion of the *Arabidopsis KCS2* coding sequence; or

b) is at least 70% identical to a portion of the *Arabidopsis KCS2* coding sequence when optimally aligned.

36. A Transgenic plant or plant cell comprising the recombinant antisense nucleic acid of claim 34 or 35.

37. A method of isolating a nucleic acid molecule encoding a plant long chain fatty acid condensing enzyme, the method comprising hybridizing a nucleic acid preparation with the nucleic acid probe of any one of claims 20 through 23.

Figure 1

```
   1  tgttgtggag gacttgtgag aaccaccacc agagtccgac atcgcgatca
  51  cggagtagag aaagtcaaaa ctacttctct cagacggatt agtttggttt
        kcs3->
 101  gctggagatt gttccaagaa agagaaacgt taggagcaaa caaacaaaag
 151  agaaaagacg atgatgactg atgagagctt taacaaaaaa ataaaatgag
 201  agagctcaac gggtagaatt gtgagacttg agagagtgtt tcctatttaa
 251  ggcatgcgat tagtgtttat tacgagaatg ccaccgaacg agtacatatt
 301  aatgtatagt atgttaatga tagtctaact aaaatttggt ttttattgaa
 351  atagaatttt gtaagaataa tgaggatctg taatatagct ggatttgcat
 401  taaatcgtac gccgttggta atcgaaatta gttaaataaa tgttttagca
 451  tataatgttg gtgcttccga catgtttatt ggacaataat accatatttt
 501  ttctttggga tcttaaaaaa attgaggaag aaaatagtaa aatagtcaaa
 551  cttaggttac atcataatgg gccaattctt tgagttgtga ttgatctcca
 601  aagatataca tagatttaca caagatcaaa agaaaaacaa ttgggcctaa
 651  accccaagcc catatcaacg tccattatca ttaagattcc tttttttctt
 701  gaaatttgaa aatttgaaat tcgattcaaa tctactctct ctgttttttt
 751  cccataaaaa tctgaaaaac cagaagcttc ttcatcactt ttcctcttga
 801  tatcttccat tagttggccg atacacatga cgccaaatac atcaatggcg
 851  actcttctct gttttttagt tatatcaaac tcccacccaa cctgcagaag
 901  aaaaaatggt gtctataaac acatcccctt acgatttctt ctctatctct
 951  ctcacagtat ctatatatac gcacacaaac ccagattcag tttctcatca
1001  gtatcatcaa caaaaatatc aaagattctg ctttagaaac tgtccATGga
                    kcs1 ->          <- kcs4
1051  tgctaatgga ggacctgtac agatccggac ccaaaactac gtcaagcttg
1101  gttatcacta tctgatcact cacttttta aactcatgtt cctccctcta
1151  atggctgttt tgttcatgaa tgtctcattg ttaagcctaa accatcttca
1201  gctctattac aattccaccg gattcatctt cgtcattact ctcgccattg
1251  tcggatccat tgtcttcttc atgtctcgac ctagatccat ctaccttcta
1301  gattactctt gctacctccc gccttcgagt caaaaagtta gctaccagaa
1351  attcatgaac aactctagtt tgattcaaga tttcagcgaa acttctcttg
1401  agttccagag gaagatcttg attcgctctg gtctcggtga agagacttat
1451  ttaccggatt ctattcactc tatccctccg cgtcctacta tggctgcagc
1501  gcgtgaagaa gcggagcagg taatcttcgg tgcactcgac aatcttttcg
1551  agaatacaaa aatcaatcct agggagattg gtgttcttgt tgtgaattgt
1601  agtttgttta accctacgcc ttctttatcc gccatgattg ttaacaagta
1651  taagcttaga ggaaacatta agagctttaa ccttggagga atgggatgta
1701  gtgctggtgt tatcgcggta gatctagcta gtgatatgtt acaaatccat
1751  aggaacactt ttgctcttgt ggttagtact gagaacatca ctcagaattg
1801  gtattttggt aacaagaaag caatgttgat ccctaattgc ttgtttagag
1851  ttggtggttc cgcggttctg ctttcgaaca agcctttgga tcgaaaacga
1901  tccaagtata agcttgttca tacggtcagg actcataaag gatctgatga
1951  gaacgcattc aattgtgtgt atcaagaaca agatgagtgt ttgaaaaccg
2001  gagtttcttt gtctaaagat cttatggcta tagctggaga agctttaaag
2051  acgaatatca cttctttggg tcctctggtt cttcctataa gcgagcagat
2101  tctgttcttt gcgacttttg ttgctaagag attgttcaat gacaagaaga
2151  agaagcctta cataccggat ttcaagcttg ctttagatca tttctgtatt
2201  cacgcgggag gtagagccgt gattgatgag ctagagaaga gtttaaagct
2251  ttctccaaaa catgttgagg cgtctagaat gactttgcat agatttggaa
2301  acacttcctc tagctctata tggtatgaat tggcttacac ggaagctaaa
2351  ggaagaatga ggaaaggaaa cagagtttgg cagattgctt ttggtagcgg
2401  gtttaagtgt aacagcgcgg tttgggtggc tcttcgcaat gtcgagccct
2451  cggttaacaa tccttgggaa cattgcatcc atagatatcc ggttaagatc
                                                  <- kcs2
2501  gatctttga
```

RJP/TMH:jlb 3/13/01 4810-58563 40561

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A PLANT LONG CHAIN FATTY ACID BIOSYNTHETIC ENZYME, the specification of which

☒ is attached hereto.

☐ was filed on _____ as Application No. _____.

☒ was described and claimed in PCT International Application No. PCT/CA00/00860, filed on July 21, 2000, and as amended under PCT Article 19 on _____ (if applicable).

☐ and was amended on _____ (if applicable).

☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
PCT/CA00/00860	W.I.P.O.	21 July 2000	☒	☐
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/145,013	22 July 1999
Application Number	Filing Date

21 Dec's

RJP/TMH:jlb 3/13/01 4810-SES63 40561

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/CA00/00860	7/21/00	pending
(Application No.)	(Filing Date)	(Status: patented, pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Smart & Biggar as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the practitioners listed below to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Name	Reg. No.	Name	Reg. No.
BLYVEIS, Deborah B.	47,337	PETERSEN, David P.	28,106
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,107
GIRARD, Michael P.	38,467	RINEHART, Kyle B.	47,027
HAENDLER, Jeffrey B.	43,652	RUPERT, Wayne W.	34,420
HARDING, Tanya M.	42,630	RYBAK, Sheree L.	P-47,913
JAKUBEK, Joseph T.	34,190	SCOTTI, Robert F.	39,830
JONES, Michael D.	41,879	SIEGEL, Susan Alpert	43,121
KLARQUIST, Kenneth S.	16,445	SLATER, Stacey C.	36,011
KLITZKE II, Ramon A.	30,188	STEPHENS Jr., Donald L.	34,022
LEIGH, James S.	20,434	STUART, John W.	24,540
MAURER, Gregory L.	43,781	VANDENBERG, John D.	31,312
NOONAN, William D.	30,878	WHINSTON, Arthur L.	19,155
ORR, David E.	44,988	WIGHT, Stephen A.	37,759
KINGWELL, Brian, G.	39,482	WINN, Garth A.	33,220

Address all telephone calls to Tanya M. Harding, Ph.D. at telephone number (503) 226-7391.

Address all correspondence to: Klarquist Sparkman Campbell Leigh & Whinston, LLP
One World Trade Center
121 S.W. Salmon Street, 15th Floor
Portland, Oregon 97204-2988
Facsimile: (503) 228-9446

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

RJP/TMH:jlb 3/13/01 4810-35563 60561

Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or first Inventor: Ljerka Kunst

Inventor's Signature Ljerka Kunst March 21, 2001
Date

Residence: North Vancouver, British Columbia, Canada FAX

Citizenship: Canada

Post Office Address: 2810 Newmarket Drive, North Vancouver, British Columbia V7R 2T4 CANADA

Full Name of Second Joint Inventor, if any: Sabine Clemens

Inventor's Signature _____ _____
Date

Residence: Vancouver, British Columbia, Canada

Citizenship: Germany

Post Office Address: 4443 West 16th Avenue, Vancouver, British Columbia V6R 3E7 CANADA

(2) over

RJP/TMH:jlb 3/13/01 4810-58563 40561

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A PLANT LONG CHAIN FATTY ACID BIOSYNTHETIC ENZYME, the specification of which

☒ is attached hereto.

☐ was filed on _____ as Application No. _____.

☒ was described and claimed in PCT International Application No. PCT/CA00/00860, filed on July 21, 2000, and as amended under PCT Article 19 on _____ (if applicable).

☐ and was amended on _____ (if applicable).

☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
PCT/CA00/00860	W.I.P.O.	21 July 2000	☒	☐
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/145,013	22 July 1999
Application Number	Filing Date

2nd Dec over

RJP/TMH:jlb 3/13/01 4810-58563 40561

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/CA00/00860	7/21/00	pending
(Application No.)	(Filing Date)	(Status: patented, pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Smart & Biggar as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the practitioners listed below to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Name	Reg. No.	Name	Reg. No.
BLYVEIS, Deborah B.	47,337	PETERSEN, David P.	28,106
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,107
GIRARD, Michael P.	38,467	RINEHART, Kyle B.	47,027
HAENDLER, Jeffrey B.	43,652	RUPERT, Wayne W.	34,420
HARDING, Tanya M.	42,630	RYBAK, Sheree L.	P-47,913
JAKUBEK, Joseph T.	34,190	SCOTTI, Robert F.	39,830
JONES, Michael D.	41,879	SIEGEL, Susan Alpert	43,121
KLARQUIST, Kenneth S.	16,445	SLATER, Stacey C.	36,011
KLITZKE II, Ramon A.	30,188	STEPHENS Jr., Donald L.	34,022
LEIGH, James S.	20,434	STUART, John W.	24,540
MAURER, Gregory L.	43,781	VANDENBERG, John D.	31,312
NOONAN, William D.	30,878	WHINSTON, Arthur L.	19,155
ORR, David E.	44,988	WIGHT, Stephen A.	37,759
KINGWELL, Brian, G.	39,482	WINN, Garth A.	33,220

Address all telephone calls to Tanya M. Harding, Ph.D. at telephone number (503) 226-7391.

Address all correspondence to: Klarquist Sparkman Campbell Leigh & Whinston, LLP
One World Trade Center
121 S.W. Salmon Street, 16th Floor
Portland, Oregon 97204-2988
Facsimile: (503) 228-9446

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

RJP/TMHjlb 3/13/01 4610-58563 40581

Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or first Inventor: Ljerka Kunst

Inventor's Signature _____ Date

Residence: North Vancouver, British Columbia, Canada

Citizenship: Canada

Post Office Address: 2810 Newmarket Drive, North Vancouver, British Columbia V7R 2T4 CANADA

2 - 8 Full Name of Second Joint Inventor, if any: Sabine Clemens

Inventor's Signature Sabine Clemens March 20th 2001
Date

Residence: Vancouver, British Columbia, Canada CAX

Citizenship: Germany

Post Office Address: 4443 West 16th Avenue, Vancouver, British Columbia V6R 3E7 CANADA